



PLANNING DIRECTOR'S HEARING AGENDA

WEDNESDAY, July 12, 2006

9:00 a.m.
City Council Chambers
City Hall

200 East Santa Clara Street
San Jose, California 95113-1905

Hearing Officers

Susan Walton, Principal Planner

Mike Enderby, Acting Principal Planner

**Joseph Horwedel, Acting Director
Planning, Building, and Code Enforcement**

NOTE

To arrange an accommodation under the Americans with Disabilities Act to participate in this public meeting, we ask that you call (408) 535-7800 (VOICE), 294-9337 (TTY) at least two days, (48 hours) before the meeting. If you requested such an accommodation and have not already identified yourself to the technician seated at the staff table, please do so now. If you did not call in advance and do now need assistance, please see the technician.

NOTICE TO THE PUBLIC

Good morning, this is the Planning Director's Hearing of **July 12, 2006**. My name is _____ and I am the Hearing Officer for today's agenda. On behalf of the Planning Director, I would like to welcome you to this Public Hearing. Please remember to turn off all cell phones and pagers. A copy of the agenda is available on the table by the door for your convenience. A validation machine is available up the stairs at the rear of these chambers for parking tickets for the garage underneath City Hall.

The procedure for this hearing is as follows:

- Hearing Officer will identify the project as described on the agenda
- Staff report
- After the staff report, applicant and/or representative will have up to 5 minutes to speak and should make themselves known as their item comes up by approaching the microphone and identifying themselves and stating their home address, or just wave from the audience if you do not wish to speak
- Public testimony of up to 2 minutes, either for or against the project. Please state name and home address for the record
- After the public testimony, the applicant may make closing remarks of up to 5 minutes
- The Hearing Officer may ask questions of the speaker
- The public hearing will then be closed and the Hearing Officer will take action on the item. The Hearing Officer may request staff to respond to the public testimony, ask staff questions, and discuss the item

If you challenge these land use decisions in court, you may be limited to raising only those issues you or someone else raised at this public hearing or in written correspondence delivered to the City at, or prior to, the public hearing.

The Planning Director's action on these agenda items is final when the permit is signed and mailed, unless the permit is appealed. The Planning Director's actions are appealable in accordance with the requirements of Title 20 of the Municipal Zoning Code.

Note: If you have any agenda changes, please contact Gina Robles (gina.robles@sanjoseca.gov).

AGENDA

ORDER OF BUSINESS

1. DEFERRALS

Any item scheduled for hearing this morning for which deferral is being requested will be taken out of order, to be heard first on the matter of deferral. A list of staff recommended deferrals is available on the table. I will identify the items to be deferred and then ask for comments from the audience. If you want to change any of the deferral dates recommended or speak to the question of deferring these or any other items, you should say so at this time. I will now open the public hearing. The following items are proposed to be deferred.

The matter of deferrals is now closed.

2. CONSENT CALENDAR

NOTICE TO THE PUBLIC

The consent calendar items are considered to be routine and will be adopted by one motion. There will be no separate discussion of these items unless a request is made by the Director of Planning, staff, or the public to have an item removed from the consent calendar and considered separately. If anyone in the audience wishes to speak on one of these items, please come to the podium at this time.

- a. PD03-075. Planned Development Permit** to allow a 6,928 square foot classroom building, new driveway loop and other site improvements for a private school (CHALLENGER SCHOOL) on a 7.23 gross acre site in the A(PD) Planned Development Zoning District, located on the north side of East Gish Road approximately 300 feet westerly of Oakland Road (711 E GISH RD) (Emerald Isle, Llc, Owner). Council District 4. SNI: None. CEQA: Mitigated Negative Declaration. **Deferred from 6/28/06.**
- b. PDA99-009-01. Planned Development Permit Amendment** to allow off-sale of alcoholic beverages at an existing retail grocery store on a 2.73 gross acre site in the A(PD) Planned Development Zoning District, located at/on the north of River Oaks Parkway, between Zanker Road and North First Street (41 RIO ROBLES EAST) (Moitozo, Owner). Council District 4. SNI: None. CEQA: Exempt.
- c. TR06-076. Removal of a Maple Tree** 83 inches in circumference in the R-1-8 Residence Zoning District located at 4085 Ribbon Drive (Sanjay and Renu Sharma, Owners). Council District 1. CEQA: Exempt.
- d. T06-030. Conventional Tentative Map** to consolidate six parcels into one lot for commercial uses on a 0.22 gross acre site in the DC Downtown Primary Commercial Zoning District, located on the south side of East Santa Clara Street, approximately 100 feet west of S. 2nd Street (30 E SANTA CLARA ST) (Fountain Alley Llc, Owner). Council District 3. SNI: None. CEQA: Exempt.

- e. **PD06-014 (converted from File No. PDA04-077-01). Planned Development Permit Amendment** to allow for a new 6,360 square foot pad building (PAD 11) at an existing shopping center for retail commercial uses, and to allow the off-sale of alcoholic beverages at Pad 4 on a 39 gross acre site in the A(PD) Planned Development Zoning District, located on the south side of Coleman Avenue opposite Hobson Street (9681 TRACT) (Cousins San Jose Marketcenter Llc, Owner/Developer). Council District 3. SNI: None. CEQA: San Jose Market Center Final Environmental Impact Report.
- f. **TR06-067. Tree Removal Permit** to allow the removal of one Magnolia tree, 64 inches in circumference, on a 0.14 gross acre site in the R-1-8 Single-Family Residence Zoning District, located at 2240 Cheryl Way (2240 Cheryl Way) (Whiteley Brian D Trustee, Owner). Council District 6. CEQA: Exempt.
- g. **TR06-062. To allow the removal of one Redwood Tree**, approximately 131 inches in circumference in the R-1-8 Single-Family Residence Zoning District, located on the south side of Parkwood Way, approximately 230 feet east of Georgetta Drive 2131 Parkwood Way (2131 Parkwood Way) (Robertello John E And Therese L Trustee, Owner). Council District 6. CEQA: Exempt.
- h. **HA04-011-01. Site Development Permit Amendment** to construct an addition containing 1,577 square feet to a previously approved triplex on a 0.17 gross acre site in the R-M Multiple Residence Zoning District, located on the east side of South 19th Street, approximately 140 feet northeasterly of San Fernando Street (70 S. 19th Street) (Phong Truong, Owner). Council District 3. SNI: Five Wounds/Brookwood Terrace. CEQA: Exempt.
- i. **SP06-043. Special Use Permit** to allow exterior modifications to an existing multi-family residential building, related landscaping improvements, and an off-site alternative use parking arrangement on a 0.32 gross acre site. (File Converted from H06-020) in the R-M Multiple Residence Zoning District, located at the southwest corner of South 11th Street and East San Antonio Street (201 S. 11th Street) (San Jose Delta Upsilon Corp, Owner). Council District 3. SNI: University. CEQA: Exempt.
- j. **SP06-028. Special Use Permit** to allow off-site parking arrangement for employee parking on a 0.38 gross acre site in the CP Pedestrian Commercial Zoning District, located on the northwest corner of Meridian Avenue and West San Carlos Street (1401-1409 West San Carlos) and on the west side of Meridian Avenue approximately 240 feet northerly of West San Carlos Street (287 Meridian Avenue) (San Carlos Meridian Props, Owner). Council District 6. SNI: Burbank/Del Monte. CEQA: Exempt.

The consent calendar is now closed.

3. PUBLIC HEARING

- a. **SP06-032. Special Use Permit** to allow the conversion of an existing single-family residential structure to commercial use on a 0.13 gross acre site in the CO Office Commercial Zoning District, located at/on the northwest corner of Forest Avenue and N. Baywood Avenue (2375 FOREST AV) (Farr Azad M Et Al, Owner). Council District 6. SNI: None. CEQA: Exempt.
- b. **PD03-058. Planned Development Permit** to allow the addition of a 15,260 square foot parish center building to an existing church and school campus on a 3.98 gross acre site in the A(PD) Planned Development Zoning District, located at/on the west side of Alum Rock Avenue approximately 200 feet northerly of Marian Lane (4600 HYLAND AV) (Roman Catholic Bishop Of San Jose, Owner). Council District 5. SNI: None. CEQA: Mitigated Negative Declaration.
- c. The projects being considered are located on the northwest corner of Lick Avenue and West Alma Avenue (9685 TRACT), in the A(PD) Planned Development Zoning District (TAMIEN PLACE CONDOS, Owner/Developer; Barry Swenson Builder). Council District 3. SNI: Washington. CEQA: Mitigated Negative Declaration, File No. PDC02-072.
 1. **PT05-077. Planned Development Tentative Map** to reconfigure two parcels into two lots for 242 single-family attached residential condominiums.
 2. **PDA04-021-01. Planned Development Permit Amendment** to allow subdivision of a previously approved podium residential project consisting of 242-unit single-family attached residences and the installation of a 400 kw emergency generator on a 3.18 gross acre site.

This concludes the Planning Director's Hearing for July 12, 2006. Thank you.

PLANNING DIRECTOR'S AGENDA ON THE WEB:
<http://www.sanjoseca.gov/planning/hearings/default.asp>
PUBLIC INFORMATION COUNTER
(408) 535-7800 CITY OF SAN JOSE